

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CONRAD HAYNES,  
Plaintiff,

v.

BANK OF AMERICA GROUP BENEFITS  
PROGRAM, et al.,

Defendants.

Case No. 12-cv-05879-JST

**ORDER AND NOTICE RE: ATTORNEY  
PADWAY'S FAILURE TO APPEAR AT  
INITIAL CASE MANAGEMENT  
CONFERENCE**

Re: ECF No. 24

On May 14, 2013, Plaintiff's counsel Laurence F. Padway requested to appear telephonically at the Initial Case Management Conference scheduled for May 15, 2013, at 2:00 p.m. ECF No. 24. Attorney Padaway's request stated: "If the request is granted, Mr. Padway may be reached at (510) 205-1821." The Court granted the request on May 15, 2013. ECF No. 25.

The clerk called the case at 3:50 p.m. on May 15, 2013. See Minute Entry, ECF No. 26. The Court dialed the number provided by Mr. Padway and reached a voicemail message indicating that the recipient did not check the voicemail account regularly. The Court then dialed the number for Mr. Padway's office listed on the caption and asked to speak with him. Told that he was not available, the Court asked for a reliable number at which to reach him. The firm's receptionist provided the same number given on Mr. Padway's request, (510) 205-1821. The Court again called that number, with the same lack of success. The Court's inability to reach Mr. Padway, using the telephone number he had provided, made it impossible to conduct the regularly-scheduled Case Management Conference, and wasted the time of opposing counsel and the Court.

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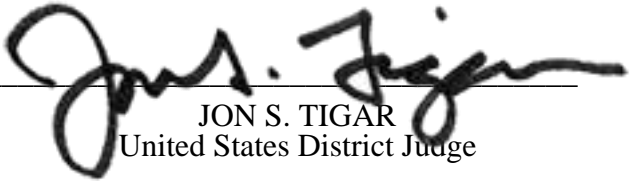
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1 The Court continued the Initial Case Management Conference until May 29, 2013, at  
2 9:30 a.m. Attorney Laurence Padway is ordered to appear at that Conference, and all subsequent  
3 hearings in this case, in person.

4 **IT IS SO ORDERED.**

5 Dated: May 17, 2013

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JON S. TIGAR  
United States District Judge

United States District Court  
Northern District of California